

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

IMPLICIT, LLC,

Plaintiff,

v.

TREND MICRO, INC.

Defendant.

Case No. 6:16-cv-00080-JRG

TREND MICRO, INC.’S OPPOSITION TO MOTION TO WITHDRAW

Defendant Trend Micro, Inc. (“Trend Micro”) submits this Opposition to the Motion to Withdraw Holt Lackey as Counsel of Record (“Motion to Withdraw”) (Docket No. 196) for Plaintiff Implicit, LLC (“Implicit”).

Trend Micro opposes Implicit’s Motion to Withdraw to the extent Implicit attempts to use it as a mechanism to delay trial in this matter. Trend Micro has been preparing for trial in this case for many months. In this regard, Trend Micro has already secured witness availability and arrangements in accordance with this Court’s Docket Control Order and is fully prepared to present its case. Implicit should not be permitted to delay this case by virtue of a change in representation, as such a delay would significantly prejudice Trend Micro.

As Trend Micro made clear to Implicit as part of meeting and conferring about the instant motion, Trend Micro does not oppose Implicit’s Motions to Withdraw to the extent Implicit agrees not to try to move the trial date in this case.

Dated: August 17, 2017

Respectfully submitted,

/s/ Benjamin E. Weed

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 17, 2017, the foregoing document was served on all counsel of record who have consented to electronic service via electronic mail per Local Rule CV-5(d).

/s/ Melissa R. Smith